

THREE DOCUMENTS
CONCERNING THE “TETRAGAMY”

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THE publication and appraisal of documents concerning the celebrated Fourth Marriage or "Tetragamy" of the Emperor Leo VI in 906 are still far from complete. This is regrettable, both in itself and also because, without them, no definitive study of this very important reign can be written. Some progress in the right direction was recently made by the publication of *Eight Letters* of Arethas¹ on this subject. Mrs. P. Karlin-Hayter, in addition to re-editing the *Vita Euthymii*,² has republished, with translation, two documents from the MS Cosinitsa 1 which concern the resignation of the Patriarch Nicholas in 907 and his reinstatement in 912;³ and has made a start on publication of the most important collection of Arethas' works, the cod. Mosquensis 315.⁴ Several other pieces, though published long since, have not been appreciated. Two such are found in cod. Vindobon. phil. gr. 342 (fols. 21^r-32^v), and were published by Lambros as letters of Nicholas Mysticus.⁵ Darrouzès⁶ rightly rejects this attribution, but proposes no alternative. However, it would appear that the author of both was Niketas Paphlago. The first of the two (ed. Lambros, pp. 3-7) is almost certainly addressed to Arethas, and indeed forms part of a correspondence between Niketas and his master with reference to a sophistical interpretation of 1 Cor. 7:1 (καλὸν ἀνθρώπῳ γυναικὸς μὴ ἄπτεσθαι) put out by the "tetragamist" bishop of Pharsala. The argument deals with the proper place of "accessory sexual pleasure" (ἡ παρυφισταμένη ἡδονή) in Christian marriage. Two of Arethas' own letters to Niketas (Νικήτα σχολαστικῷ) on this subject survive in the Moscow codex 315 (fols. 115^r-117^r), and have been published by Mrs. Karlin-Hayter (see note 4).

The second letter of Niketas is longer and more interesting (ed. Lambros, pp. 7-14). It is addressed to a certain metropolitan Nicholas, congratulates him on joining the small band of stalwarts who reject the Fourth Marriage in spite of all the threats and blandishments of the Court, and urges him to stand fast in his position. The letter is strongly influenced by the style of Arethas. But more than this: it betrays a direct, verbal knowledge of the *Eight Letters*

¹ By Mr. Laourdas and myself, in *Hellenika*, 14 (1956), 293-372 (incorrectly cited as "EEBΣ 14 [1955]" in *Rev. Et. Byz.*, 18 [1960], 115).

² *Byzantion*, 25-27 (1955-7), 1 ff.

³ *Ibid.*, 748-771 (after A. Papadopoulos-Kerameus, *Varia graeca sacra* [St. Petersburg, 1909], 255-266.)

⁴ *Byzantion*, 28 (1958), 363-389; *ibid.*, 29-30 (1959-60), 281-302. The last three documents in the former publication (pp. 373-389) concern the "Tetragamy." The latter article republishes "Arethas' Letter to the Emir at Damascus" (cod. Mosqu. 315, fols. 96^v-110^v); but this letter is not directly relevant to the "Tetragamy," nor indeed was it written by Arethas at all. It has led scholars a sad dance (see Karlin-Hayter's edition, pp. 281-292), through their failure to realize that the word ἀλλαγίων (*ibid.*, 302/13) means exchanges, not of ideas, but of prisoners. The writer was Leon Choerosphactes, the date 906, and the reason for the document's inclusion in a collection of Arethas' compositions is that its contents provoked Arethas' own outburst, Χοιροσφάκτης ἢ Μισογόνος, found in the same collection (fols. 87^r-91^r). The title and scholion at fol. 96^v are of course editorial flights of fancy. See now also *Byzantion*, 31 (1961), 273-307, for two "Defences" of Arethas on his return from exile in 907, of which one may be an earlier draft of the other: cf. *infra*, note 24.

⁵ *Neos Hellenomnemon*, 21 (1927), 3-7, 7-14.

⁶ *Rev. Et. Byz.*, 18 (1960), 128.

referred to *supra*, which might suggest that Niketas had, during the latter part of 906, acted as Arethas' amanuensis. Two other letters in the same Vienna MS⁷ have been ascribed to Niketas by Lambros, and the ascription seems certain.⁸ All four letters must be datable to the latter part of 906 or the early part of 907. They deserve to be re-edited together, and the second of them should be studied with reference to the parallel texts of Arethas.

But the texts with which this article is concerned are three short letters of the Patriarch Nicholas, nos. 40, 49, and 146 in the editions of Mai and Migne, which have, so far as I know, not yet been studied with respect to their bearing on the question of the "Tetragamy" and its outcome. The best commentary on Nicholas' correspondence in general is that of Father Grumel;⁹ but he omits two of these letters (nos. 49 and 146) from his work, and of the third (no. 40, his no. 770) he has perhaps not brought out the full significance. Moreover, the text printed by Mai and Migne, which derives from the Vaticanus 1780, is not everywhere satisfactory; and the Latin renderings printed by Migne, especially Baronius' rendering of no. 49, do not accurately represent the Greek. The texts printed here derive from the cod. Patmensis 178, which is itself the source of Vat. 1780, used by Mai.¹⁰ I have been able to study the Patmos MS by means of excellent photostats which are the property of the Institut de Recherche et d'Histoire des Textes at Paris, and which have been most generously lent to me by Father Marcel Richard.

I

Fol. 165^v.

- 1 μ' Μαλακινῶ πατρικίῳ
Οὐκ ἡλγήσαμεν ἐπὶ τοῖς ὀνειδισμοῖς οὓς καθ' ἡμῶν ἀπερρίπτει τὸ γράμμα, διότι καὶ τοῦτο μέγα νομίζομεν, τὸ ἀξιούσθαι ὅλως μνήμης, ἄνθρωποι διὰ τὰς ἀμαρτίας ἡμῶν μηδὲ τὸν ἄερα σπᾶν δίκαιοι τυγχάνοντες. Ἄλλ' ἐκεῖνο ἡμῖν ἀλγεινὸν ἐφάνη, ὅτι νοῦν ἔχων
- 5 ἄνθρωπος καὶ πράγματα κρίνειν εἰδῶς ἀπήχθη τῶν πραγμάτων τῆς φύσεως καὶ οὐκ ἔδωκεν σκέψιν τῷ λογισμῷ ἀλλὰ πρὸς μόνην τὴν ἑαυτοῦ ἀπέβλεψεν ἐπιθυμίαν. Μέμφεται οἷς οὐκ ἔδει μέμφεσθαι, καίτοι γε εἰδῶς ἐκ προλαβούσης πείρας τὴν ἡμετέραν προαίρεσιν ὅτε καιρὸς ἦν μὴ δυσκολίαν ἐπάγων τοῦ πρὸς ἔργον τὴν ἡμετέραν ἐξιέναι γνώμην. Εἰ δ' ὅτι οὗτος κἀκεῖνος ἔτυχον τινὸς παρ' ἡμῶν ἔδακε τὴν καρδίαν τὸ πρᾶγμα καὶ πρὸς τὰς
- 10 μέμψεις ἠρέθισεν, οὐδὲ τοῦτο εὐλογον' οὐκ ἄγνοεῖ γὰρ οὐδὲ τοῦτο φρόνιμος ἄνθρωπος ὅτι μεγάλην ἔχει ῥοπήν ὁ καιρὸς <ὅς> πολλὰ τῶν διοικημάτων οὐ κατὰ τὴν βούλησιν τοῦ διοικοῦντος ἀλλ' ἐνίοτε καὶ ἀσχάλλοντος ἐπ' αὐτοῖς εἰς ὑπόστασιν ἄγει. Ταῦτα γινώσκων ὡς νουνεχῆς καὶ συνετὸς (fol. 166^r) ἄφες τὰς μέμψεις καὶ τὰς μικρὰς ἡμέρας τῆς ζωῆς ἡμῶν εὐχου. Χρεωστεῖς γὰρ τὰ τε ἄλλα καὶ ὅτι φίλος ὑπὲρ φίλου τὴν εὐχὴν, εἰ μὴ
- 15 παντάπασιν ἀπαρέσκη θεῷ ἐκ τοῦ περιστοιχίζοντος βάρους τῶν θλίψεων ἀνέτους διαγαγεῖν.

II δς addidi

⁷ Ed. Lambros, *Neos Hellenomnemon*, 19 (1925), 189; *ibid.*, 8 (1911), 301.

⁸ It is accepted by Darrouzès, *op. cit.*, 126. Mrs. Karlin-Hayter (*Byzantion*, 25-27 [1955-7], 170-172) is inclined to doubt the ascription to Niketas of the second of these two letters, but she does not take account of the first, which immediately precedes it in the MS. This first letter is addressed to Niketas' uncle Paul, and is a warm eulogy of Niketas' friend and master Arethas, from whom the Court party is trying to separate him.

⁹ V. Grumel, *Les registres des actes du patriarchat de C^{pl}e*, I, fasc. II (1936), nos. 598-784.

¹⁰ See Darrouzès, *Rev. Et. Byz.*, 18 (1960), 127.

TRANSLATION

40. To the patrician Malakinos:

I was not pained by the insults cast on me by the letter, because I regard it as a great compliment to be thought deserving of any notice whatever—I who, for my sins, am unfit so much as to draw breath. But what did seem painful to me was that a man of sense, capable of appreciating the situation, should have been led astray as to its nature, and, instead of thinking it over rationally, should have looked merely to his own desire. He puts the blame on the wrong shoulders, although he knows from past experience what my purpose was at the time when my advice could have been acted upon without any difficulty. If the business has incensed him and provoked him to blame me because he and that other one got some *promise* out of me, then that too is unreasonable: an intelligent man must also be aware that time is a factor of great importance, *which* realizes many of our plans in a way not according to the wish of the planner, who sometimes bitterly regrets them. You, with your good sense and wisdom, are aware of this: so stop blaming me, and pray for the few days remaining to my life. This you are bound to do in any case, but especially so since your prayer will be that of a friend for his friend—unless indeed God is wholly averse to my living in freedom from the burden of sorrows that now beset me (*sc. in which case prayers would be unavailing*).

Bibliography: Ed., from cod. Vat. gr. 1780, by Mai, *Spic. rom.* X (2), 312; Migne, PG, CXI, cols. 228 D–229 A. Found also in cod. Vindobon. phil. gr. 342, fols. 90^v–91^r: see *Neos Hellenomnemon*, 19 (1925), 11, 19, but the variants there noted by Lambros are variants from the Migne edition, not from the Patmos codex, and do not improve the latter. Grumel, *Les registes*, no. 770.

COMMENT

The first thing to notice is that the abusive letter which Nicholas has received has not come from his correspondent Malakinos: it is "the letter," not "your letter." Similarly, the intelligent man¹¹ who has however misjudged the situation, and is now blaming his folly on Nicholas, is this same third party who has sent the abusive letter in question. When this is understood, the circumstances point to our identifying this third party with the Emperor Leo VI. He has, either just before or just after Nicholas' banishment, written insultingly to the latter.¹² Nicholas professes not to mind the insults, but does mind that one usually so sagacious as Leo should have mistaken the signs of the times and pushed on regardless towards the fulfilment of his "desire" (ἐπιθυμία). This word ἐπιθυμία is repeatedly used by Leo's opponents to represent his chief motive for marrying a fourth time: see Migne, PG, CXI, cols. 196 C, 209 A.

Then follows the most illuminating sentence in the letter (Μέμφεται . . . γνώμην). This says, in effect: "It is no use the Emperor's blaming me now: he knows well

¹¹ For ἄνθρωπος, cf. Migne, PG, CXI, col. 201 C.

¹² Cf. *Byzantion*, 25–27 (1955–7), 769—ἀληθεστάτη βασιλέως ἐπιστολή πρὸς ὑμᾶς.

enough what I felt about it at the time when I could easily have managed the business." The clause *ὅτε καιρὸς ἦν μὴ δυσκολίαν ἐπάγων τοῦ πρὸς ἔργον τὴν ἡμετέραν ἐξίέναι γνώμην* is rendered by Migne: *eo nempe tempore quo nulla erat producendi nostram sententiam difficultas*; it should rather be: *cum adesset tempus nullam adferens difficultatem quominus sententia nostra in actionem prodiret*. The reference is clear. The *Vita Euthymii* and a host of documents written by Arethas¹³ make it certain that during the last eight months of 906 Nicholas was loyally working for recognition of the Fourth Marriage, and even offered, in May and August, to receive the Emperor back into the Church on his (Nicholas') own authority; but the Emperor, unluckily for himself, refused. It was only after Christmas 906 that Nicholas realized the *τελεία ἔνστασις* of Arethas and his party, and finally retracted his offer. After his restoration in 912 Nicholas never admitted that he had, in fact, once worked for the dispensation: and this deceived Popov¹⁴ into rejecting the evidence of the *Vita Euthymii* on this point. But, if our interpretation of this letter is correct, we have here Nicholas' own direct statement that he was willing to grant dispensation when it could have been done safely, i.e. in the spring or summer of 906.

All the rest of the letter supports this interpretation. "If he and that other [that is, Leo and his minister Samonas] got something [that is, some promise or concession] out of me, and the Emperor is incensed because I cannot now fulfil it, this is unreasonable: a sensible man must realize the importance of *timing* (*ἡ ῥοπή τοῦ καιροῦ*). It could safely have been done then; now, it cannot, without disastrous results."

The correspondent Malakinos is unknown from other sources. It is natural to think of him as a member of the Emperor's privy council, and he may even have been its president (*παραδυναστεύων*),¹⁵ an office which, as we know from the Life of St. Nikon Metanoeite,¹⁶ was held a century later by another member of the same family, John Malakinos. That Leo employed his *paradynasteuon* in communicating with the exiled Patriarch we know from *Byzantion*, 25-7, p. 752, line 3, where the phrase *τῷ . . τὸ δύνασθαι παρ' αὐτῷ λαχόντι* means simply *τῷ παραδυναστεύοντι*. But, in view of *Vita Euthymii* 48/20-1 (Karlin-Hayter, 96/17-18), it is perhaps more reasonable to think in this connection of Samonas, who may well have combined the offices of *protovestiary* and *paradynasteuon* at this time.

The date of the letter could be either before or after Nicholas' deposition, but cannot be many weeks removed from that event. The refusal to receive Leo into the Church at Christmas 906 and at Epiphany 907 has presumably taken place, since Nicholas lays emphasis on what he was once willing to do but cannot do now, and speaks of the Emperor's rage at his refusal. The early part

¹³ *Vita Euthymii* (de Boor), 38; (Karlin-Hayter), 76-8; *Byzantion*, 25-27 (1955-7), 766; *Eight Letters*, 343-345.

¹⁴ N. Popov, *Imperator Lev VI Mudryi* (Moscow, 1892), 120: *My ne imeem osnovanii stchitats patriarcha sposobnym pisats odno, a govorits i delats drugoe (!)*.

¹⁵ See Beck, *Byzantinische Zeitschrift*, 48 (1955), 327-338.

¹⁶ Ed. Lambros, *Neos Hellenomnemon*, 3 (1906), 178/32; cf. A. A. Christophilopoulou, 'Ἡ Σύγκλητος εἰς τὸ Βυζαντινὸν Κράτος (Athens, 1949), 77-78. For the Malakinos family, see further Cedrenus, II, 358/20, 451/19-22; J. Darrouzès, *Épistoliers byzantins du X^e siècle* (Paris, 1960), 45.

of 907 is the most likely date. Confirmatory evidence of this, for what it is worth, may lie in the fact that our letter no. 40 is placed in the middle of a series of letters to Gregory of Ephesus, which have been dated by Grumel¹⁷ to between May and September of 906: and, as Darrouzès has well observed,¹⁸ "comme il arrive souvent, les lettres d'une même époque de la vie de l'auteur sont restées groupées." But more than this: the order of those of Nicholas' letters which appear in cod. Vindobon. phil. gr. 342 (fols. 12^v–20^v, 80^r–91^v) is not the order of Patm. 178, though it is in some ways related to it. Though the Vienna codex is of the twelfth century, its reproduction of Nicholas' letters is not based on the Patmos version, but depends on a probably earlier, and probably more chronologically accurate, arrangement of those documents. Thus, for example, the letter to the "Emir of Crete" (sc. to the Caliph at Bagdad), which appears first in the Patmos collection (Migne no. 1), appears third in the Vienna collection, and immediately after Migne no. 113, to Niketas of Athens. Internal evidence makes it certain that the former is datable to 913–914; whereas the latter, as we shall see (note 26, *infra*), must also be dated to ca. 914. Now, Migne no. 40, in the Vienna arrangement, is placed immediately after Migne no. 133, to the Archbishop of Alania; and this latter is dated by Grumel (his no. 610), with, I believe, absolute certainty, to the end of 906 or the beginning of 907, which is precisely where we have dated the letter to Malakinos.

When Nicholas speaks of τὰς μικρὰς ἡμέρας τῆς ζωῆς ἡμῶν, this, of course, does not mean that he was necessarily on the brink of the grave, though he often supposed himself to be so when things went wrong. But in February 907 he was already 54 or 55 years old,¹⁹ and, as he himself said elsewhere,²⁰ the expectation of life was small after 60, and very few lived to be 70.

2

Fol. 171^v.

- 1 μθ' πρὸς τοὺς μητροπολίτας ἔξω τῆς ἐκκλησίας ὄντας.
'Ανθρώπους πείθωμεν, φησὶν ὁ θεὸς ἀπόστολος, θεῶ δὲ πεφανερώμεθα· καὶ οὐκ ἔστιν ἄλλως ἢ κατὰ τὴν μακαρίαν ἐκείνην γλῶσσαν τὴν ἐξ οὐρανοῦ λαλοῦσαν καὶ οὐχὶ λογισμῶν θνητῶν καὶ ἀνθρωπίνων. Ὅρα δὴ οὖν καὶ σύ, μᾶλλον δὲ ὀρᾶτε, οὓς — οὐκ οἶδα
- 5 πῶς συμπαθέστερον εἶπω — δυστυχῶς ἑμαυτῶ καὶ τῇ τοῦ Χριστοῦ καὶ θεοῦ ἀπεγέννησα ἐκκλησίᾳ. Πῶς γὰρ οὐχὶ δυστυχῶς; οἱ' ἐγεννήθητέ μοι οὐχ ἵνα κατὰ τὸν πρέποντα τέκνοις πρὸς γονέα νόμον προασπίσητε, ὑπερμαχήσησθε, καὶ τυχὸν ἐν κινδύνοις ἡμῶν

¹⁷ *Les regestes*, nos. 604–607.

¹⁸ J. Darrouzès, *Épistoliers byzantins*, 45.

¹⁹ According to F. Fischer, "De Patriarcharum Constantinopolitanorum Catalogis" (*Commentationes Philologicae Jenenses*, III [1884]), 293, Nicholas died on May 15, 925, aged 73. (Popov, *op. cit.* 92 note 2, cited this very passage, but apparently had not read it, since on p. 90 he stated that "the date of Nicholas' birth is not accurately known.") Nicholas therefore (as Krumbacher, *GBL*² 458, knew) was born in 852. This fact in itself is enough to invalidate the hypothesis of Darrouzès (*Épistoliers byzantins*, 36, 120) that the Patriarch Nicholas was identical with the *prosmonarios* Nicholas, the favorite of Basil I, since the former could hardly have been a *prosmonarios* at 3 or 4 years of age. But, as the Continuator of George the Monk (Bonn ed., 842/17–843/2) and parallel texts tell us, the *prosmonarios* Nicholas was surnamed Androsalites, died a synkellos, and was buried in the Arcadianae, none of which facts applies to Nicholas Mysticus (cf. Darrouzès, *op. cit.*, 85, note 33).

²⁰ Migne, PG, CXI, col. 184 A–B.

- 10 ὄντων συναντιλάβησθε, καὶ τοῦ κινδύνου ῥύσησθε τὸν πατέρα κἀν ἴσως παρὰ δίκην; ἐπεὶ περ ἔστι παρὰ θεῶ καὶ τοιαύτης συμπαθείας ἀντίδοσις τῷ τάξαντι τιμῆς ὄρους (fol. 172^r) πατράσι καὶ τέκνοις. Ἄλλ' οὐχὶ τὸ ὑμέτερον τοιοῦτον, τοῦ γὰρ Χριστοῦ καὶ θεοῦ μου, οὐχ ὅτι πρὸς θεραπείαν αὐτοῦ ἐξείργασταί τι ποτὲ παρ' ἡμῶν, ἀλλὰ δι' ἄφατον ἀγαθότητα τέως εὐμενοῦς ἡμῖν τυγχάνοντος καὶ οὐδὲν παρακεχωρηκότος τοιοῦτόν τι πεπραγμένον ἡμῖν ὀφθῆναι.

10 ὑμέτερον cod ἡμέτερον edd.

TRANSLATION

49. To the metropolitans outside the Church:
 "We persuade men," saith the divine Apostle,²¹ "but we are made manifest unto God": and it is not otherwise than according to that blessed tongue which speaketh out of Heaven and not out of the thoughts of mortal men. Look thou then to it—or rather look ye, whom (I do not know how to put it more kindly) I begat²² to be a curse both to myself and to the Church of Christ our God. For a curse you have certainly been: were you not born my sons so that, in accordance with the law which rules the proper conduct of children to their parent, you might protect me, fight for me, and take my part if I was in danger, and deliver your father out of danger—even, perhaps, if I had been in the wrong? for affection, even when shown in such circumstances as these (i.e. *to a parent who is in the wrong*), has its reward from God, Who has ordained the terms of honor between fathers and sons.²³ But this was not your case: for since my Christ and God, not for any service ever done Him by me but out of His own ineffable goodness, has always shown me His favor and has never permitted that any such *wrong* should be seen to have been done by me

Bibliography: Ed., from cod. Vat. gr. 1780, by Mai, *Spic. rom.* X (2), 321–2; Migne, PG, CXI, cols. 240 D–241 A. Latin version, Baronius, *Ann. Eccl.* X, 775. Cf. Grumel, *Les registres*, nos. 630–632, 706.

COMMENT

In the title the Migne edition has ἔσω, but Mai correctly reproduced the ἐξω of the MS, and the Latin version of Baronius so translates. The point is important because, if the metropolitans are excommunicated, then Nicholas has deposed or is deposing them, and the letter is datable to June 912. This is confirmed by a comparison of our document with the fuller version that was found in the Cosinitsa MS and published by Papadopoulos-Kerameus and Karlin-Hayter.²⁴ Nicholas addresses the same parties in both documents, and

²¹ 2 Cor. 5:11.

²² Is. 1:2.

²³ Exod. 20:12.

²⁴ *Varia graeca sacra*, 255–259; *Byzantion*, 25–27, 748–756. This is not the only case where we have two differing versions of the same composition of Nicholas: Cod. Vind. phil. gr. 342 fols. 84^r–87^v contains a *Consolatio* of which only the last third is identical with Migne, PG, CXI, cols. 236–240. See also Karlin-Hayter, *Byzantion*, 31 (1961), 275–276.

makes use of much the same language (e.g. the quotation from Isaiah 1:2 and the phrase Ὅρα δὴ οὖν καὶ σύ, μᾶλλον δὲ ὁρᾶτε; cf. Ὅρᾳς, μᾶλλον ὁρᾶτε, ed. Karlin-Hayter, 754.) In the longer document Nicholas denies the validity of his resignation from the patriarchal throne in 907, and ends with the formal deposition of his Euthymian opponents. The shorter version, reproduced here, ends inconclusively, and there is good reason to believe that it is a fragment only. The final sentence (τοῦ γὰρ Χριστοῦ . . . ὁφθῆναι) is a subordinate genitive absolute, and lacks the main subject and predicate which should make it clear that, since God in His mercy has never allowed Nicholas to act παρὰ δίκην, the metropolitans were doubly criminal in deserting his cause. In these circumstances it is not possible to determine the exact relationship of the two versions, or to decide which of them came first; but they must be nearly contemporary, and datable immediately after Nicholas' restoration in 912.

The persons particularly addressed are known from the *Vita Euthymii* (62/14–15; Karlin-Hayter, 120/32–34). They were the metropolitans Demetrios of Heraclea, Gregory of Nicomedia, Gabriel of Ancyra, Hilarion of Hierapolis, Peter of Sardis, and of course Arethas, who wrote a reply. The first four of these were brought before Nicholas, and, after some verbal exchanges, Nicholas ordered the recital of "what he had composed" (*ibid.*, 62/21–22; Karlin-Hayter, 122/6: τὰ παρ' αὐτοῦ συντεθέντα ἐκέλευσεν ἀναγινώσκεσθαι). This composition was doubtless the formal indictment and the Council's sentence of deposition, and the ex-metropolitans are henceforth οὗτοι οἱ κατηρημένοι (*ibid.*, 62/25; Karlin-Hayter, 122/9). Now the fuller version of our letter, found in the Cosinitsa MS, is just such a document as this, and may well be the actual text read out to the metropolitans on that occasion; and the letter republished here could be a first draft of the Cosinitsa text, which would be consistent with its present fragmentary state. So far as they can be compared, the chief difference between the two texts is that, whereas in the fragment Nicholas himself exclaims οὗς . . . δυστυχῶς . . . ἀπεγέννησα, in the longer, more elaborate version he has the Church herself cry out against her misbegotten sons (ed. Karlin-Hayter, p. 748), and is characteristically abused by Arethas for this artifice (*ibid.*, p. 758).

There is some doubt as to the number of metropolitans whom Nicholas actually did depose. It appears from the *Vita Euthymii* that the Council which was convened in June 912 pronounced anathema and sentence of deposition on all the Euthymian bishops indiscriminately;²⁵ whereas in his letter to Niketas of Athens²⁶ Nicholas states that only four have in fact been deposed, *viz.* three of those mentioned in the *Vita Euthymii*, Demetrios, Gabriel, and Gregory, with one other, Cosmas, who had told lies at Rome. It is possible that we

²⁵ Grumel, *Les registres* no. 631; cf. *Vita Euthymii*, 72/17–20, which implies that the number of those deposed was considerable.

²⁶ Migne, PG, CXI, col. 329 B–D. This letter to Niketas of Athens can, on internal evidence, scarcely be dated as late as 922, where Grumel (*Les registres*, no. 706) would place it. Nicholas never wrote in this tone of despair about the Church after the Tomus Unionis was promulgated (920). The truth must be that Niketas immediately succeeded Savas in 913, and was afterwards superseded by George, after whose death in 921 he returned to the see. This is confirmed by the order of the episcopal list in the Athens Synodicon: see Laurent, *Mémorial L. Petit* (Bucharest, 1948), 277–280. The letter is more probably datable *ca.* 914. Cf. de Boor, *Vita Euthymii* (Berlin, 1888), pp. 197–199.

should add Hilarion of Hierapolis to the list, if he is the same Hilarion who later created disturbance in the monastery of abbot Peter (Migne, PG, CXI, col. 261 B; cf. col. 361 A–C). Grumel, no. 706, critique 3, notes the discrepancy (cf. also Popov, pp. 170–177), and suggests that the general denunciation of June 912 was in the nature of a *condamnation de principe*. It is probable enough that Nicholas, whose instability of character was the jest and torment of his associates,²⁷ should, in the first transports of triumph and revenge, have gone further than was prudent, and later saw that, if church unity was ever to be restored, he must proceed in a far more conciliatory fashion. The case of Arethas himself may be instructive in this connection. It is absolutely certain that Nicholas deposed him in 912; but he flatly refused either to recognize his deposition or to offer his resignation. He would yield to an imperial edict for his eviction, but to nothing short of this;²⁸ and Nicholas once more seems to have bowed to his colleague's resolution and to have left him where he was.

This is one of the eight letters of Nicholas published in Latin summaries by Baronius.²⁹ The summaries are so wildly at variance with the Greek text as we know it that the suggestion has been made that Baronius relied on an altogether different tradition from Patm. 178 and Vat. 1780 (cf. Grumel, *Les registes*, no. 712). This is not the place for a discussion of the annalist's versions, but the hypothesis of an independent tradition is rightly rejected by Darrouzès.³⁰ Migne unfortunately reprinted some of Baronius' versions in his edition. The best that can be said of this one is that it is *secundum sensum* rather than *secundum verbum*.

3

Fol. 234^r

- 1 ρμδ' Κωνσταντίνω πρωτοασηκρήτις
 'Απλᾶ γράφω πρὸς ἄνθρωπον συνιδεῖν καὶ ἐν ἰδίῳ — (fol. 234^v) — τείξ λόγων ψυχῆς
 ἄλγημα σφοδρόν. 'Ακοήν ἠκούσαμεν μετὰ τὴν τοῦ βασιλέως ἐξ ἡμῶν ἀναχώρησιν ὡς
 ἀρχιεπίσκοπον παρὰ τῆς ἡμῶν χειροτονηθέντα ταπεινότητος — οὗτος δέ ἐστιν ὁ
 5 Νεαπόλεως — ἐκδιώκετε καὶ πέμπετε ἄλλον ὃν ἐσφράγισεν καὶ ἐξαπέστειλεν ἐκεῖ ὁ καὶ εἰς
 τὴν ἡμετέραν τῶν ταπεινῶν καὶ πάντων ἀνθρώπων ἀμαρτωλοτέρων, ὅμως δὲ οἷοις οἶδε
 κρίμασιν ὁ συναρμόσας ἡμᾶς ταύτῃ Χριστός μου, καθὼς αὐτοὶ ἐπίστασθε, εἰσπηδήσας.
 Βλέπετε τί ποιεῖτε. 'Ορᾶς πῶς ἀπλᾶ γράφω; 'Αθῶος εἰμὶ τῆς αἰωνίου καταδίκης ὑμῶν·
 αἰωνίῳ γὰρ κατακρίματι τὸν τοῦτο ποιοῦντα ὑποβαλῶ, εἰ καὶ ἀμαρτωλός εἰμι, ἀρχιερεὺς
 10 ὢν τῆς τοῦ Χριστοῦ ἐκκλησίας καὶ συναρμοσθεὶς αὐτῇ οὐ βία, οὐ περιδρομαῖς ἐμαῖς, οὐ
 σπουδῇ ἀνθρωπίνῃ, ἀλλὰ λόγοις οἷς οἶδεν ὁ τὸ ἅγιον αἶμα ὑπὲρ αὐτῆς κενώσας. Καὶ τῷ
 ἁλύτῳ ἐκείνῳ δεσμῷ ᾧ ἂν ὑποβαλοῦμεν τοὺς τοῦτο ἐπιχειροῦντας παραστήσονται τῷ
 φοβερῷ βήματι καὶ ἐγὼ σὺν αὐτοῖς, καὶ τότε γνωσόμεθα ἐνώπιον πάσης σαρκὸς καὶ τὸν
 ἴδιον ζῆλον καὶ τὸ φρόνημα καὶ τὴν ἐντρέχειαν καὶ τὴν φιλίαν καὶ τὰς πολλὰς περινοίας,
 15 ὅταν πᾶν στόμα ἐμφράσσηται καὶ ἕκαστος κατὰ τὰ οἰκεῖα ἔργα λήψεται τὴν ἀνταπόδοσιν.

2 συνιδεῖν sc. φρόνιμον ὄντα συνιδεῖν 10 cf. Φωτίου Λόγοι καὶ 'Ομιλίες, ed. Aristarchis, II, 438/2–3

²⁷ Cf. *Byzantion*, 25–27, 760, 766: τὸ σφαλερόν, τὸ ἀστάθμητον τοῦ ἥθους.

²⁸ *Varia graeca sacra*, 268–269; cf. *Vita Euthymii*, 62/3–5, Karlin-Hayter, 120/21–23.

²⁹ *Annales Ecclesiastici*, X, ann. 917.

³⁰ *Rev. Et. Byz.*, 18 (1960), 127.

TRANSLATION

144. To Constantine protoascretis:

I write plain language to a man *intelligent enough* to discern, even in simple words, a violent grief of heart. I have heard a report, since the Emperor's departure from us, that you are expelling an archbishop ordained by my Humility—I mean, him of Neapolis—and sending another who had been consecrated and dispatched thither by him who, as you know yourselves, usurped the *throne* on which I, though humble and the most sinful of men, was none the less *established* by the inscrutable judgements of my Christ Who confirmed me in it. Take care what you do! You see, don't you, how plainly I write? I am innocent of your eternal damnation: for I shall commit to eternal damnation him who does this—I who, though sinful, am yet arch-priest of the Church of Christ, being confirmed in it, not by violence, nor by my own canvassings, nor by the favor of men, but for reasons known to Him Who for that Church poured out His blood. And by that indissoluble bond in which I shall commit those who attempt this, they will stand at the fearful Tribunal, and I with them, and then we shall know, in the presence of all flesh, their private emulation and arrogance and intrigue and friendship and their many clever devices, when every mouth shall be stopped, and each shall receive his reward according to his own works!³¹

Bibliography: Ed., from cod. Vat. gr. 1780, by Mai, *Spic. rom.* X (2), 425–426; Migne, PG, CXI, cols. 372 D–373 B. Popov, *Imperator Lev VI Mudryi*, 92, 174 (correctly dating the letter to Nicholas' second patriarchate, but not going on to examine the circumstances).

COMMENT

Migne's Latin version goes hopelessly astray in the second sentence (Ἐκοὴν . . . εἰσπηδήσας). The patriarch's language, under stress of emotion, is indeed somewhat elliptical: written out at full the latter part of this sentence would run: ὁ καὶ εἰς τὴν ἡμετέραν <ἔδραν> τῶν ταπεινῶν καὶ πάντων ἀνθρώπων ἁμαρτωλοτέρων ὅμως δὲ οἷς οἶδε κρίμασιν ὁ συναρμόσας ἡμᾶς ταύτη Χριστός μου <ἐν αὐτῇ καθιδρυθέντων>, καθὼς αὐτοὶ ἐπίστασθε, εἰσπηδήσας. But the meaning is clarity itself. The government of the day, acting through the head of the imperial chancellery, the *protoascretis*, is expelling from the see of Neapolis³² an archbishop ordained by Nicholas and replacing him by an archbishop previously ordained and sent there by Euthymios (ὁ καὶ εἰς τὴν ἡμετέραν . . . εἰσπηδήσας)³³. The government is addressed in the plural, ἐκδιώκετε, πέμπετε, βλέπετε: contrast πρὸς ἀνθρώπων, ὁρᾷς.

³¹ Cf. Ps. 61:13, 62:12.

³² The see of Neapolis, once a suffragan of the metropolis of Antioch in Pisidia, appears for the first time as an autocephalous archbishopric in the *diatyposis* of Leo VI, which dates from Nicholas' own first patriarchate; see H. Gelzer, "Ungedruckte . . . Texte der Notitiae Episcopatum" (*Abh. d. bay. Akad. Wiss.* [Munich, 1901]), 551 no. 72; H.-G. Beck, *Kirche und Theologische Literatur im byzantinischen Reich* (Munich, 1959), 172–173.

³³ Cf. *Vita Euthymii*, ed. Karlin-Hayter, 144, note 1.

It will be seen at once that the explanation of this letter depends on the interpretation we give to the phrase μετὰ τὴν τοῦ βασιλέως ἐξ ἡμῶν ἀναχώρησιν. At first sight it might appear to refer to the Emperor Leo's "withdrawal" from Nicholas in February 907, and that the letter is a protest written by the latter in exile. It is well known that Nicholas would never admit that he had in fact resigned in 907,³⁴ and therefore a protest in these terms between 907 and 912 would be likely enough. But such a use of the word ἀναχώρησις would be most unnatural. The Emperor Leo did not "withdraw" from his patriarch: he threw him out (ἐξήλασε).³⁵ It is obvious that the phrase means "after the emperor's death." This usage of ἀναχώρησις is common enough: in this very collection of Nicholas' letters we find, καὶ γὰρ ἤδη πρὸς τάφον ὁρῶμεν καὶ τὴν ἐκ τοῦ βίου ἀναχώρησιν (Migne, PG, CXI, col. 276 A); εἴτε τῆς ἐνταῦθα σκηνῆς ἀναχωρήσωμεν (*ibid.*, col. 328 C); and μετὰ τὴν ἐκ τῆς ματαίας ταύτης ζωῆς ἀναχώρησιν (*ibid.*, col. 389 D). This narrows the field of possible explanations. Leo VI died in 912, and his brother Alexander in 913. It is not difficult to choose between them. After Leo's death, Nicholas was at once reinstated as patriarch by Alexander, and there could have been no question at that time of turning out a Nicholaan bishop and setting up a Euthymian, who would in any case have been there already. This the text makes clear. The *protoasecretis* is accused of turning out a Nicholaan (one, that is to say, put there by Nicholas in 912) and reinstating one whom Euthymius *had previously* ordained and sent to Neapolis between 907 and 912.

The letter, then, must be dated to 913, very shortly after the Emperor Alexander's death in June of that year. The Patriarch had been left behind by Alexander as head of a council of regency, which office he retained until the palace revolution of February 914. But it is plain from the *Vita Euthymii*³⁶ that in the period immediately after Alexander's death he was engaged in a violent struggle for power with the dowager Empress Zoe, and succeeded in making good his temporary ascendancy only when, after the Dukas revolt, he expelled her from the palace, that is, from the seat of administration.

What we know of Nicholas' correspondent, Constantine *protoasecretis*, agrees well with this interpretation. He was the Empress Zoe's chief of the imperial chancellery in 919, when he joined the luckless revolt of Leo Phocas against Romanus Lecapenus.³⁷ His surname is given by the chronicler as Malelias. After the collapse of the revolt, he was charged with treason; but, owing to the friendly offices of John Mysticus, at that time influential with Romanus, Constantine was acquitted.³⁸

The struggle over the "Tetragamy" lasted, officially speaking, from January 906 until July 920, when the Tomus Unionis was signed. The approval of Rome for the Tomus was obtained nearly three years later,³⁹ when the papal

³⁴ Cf. *Byzantion*, 25-27, 752-754, 768.

³⁵ *Ibid.*, 750 fin.

³⁶ de Boor, 70/32 ff.; Karlin-Hayter, 138/3 ff.

³⁷ Theophanes Continuatus (Bonn, ed.) 395/6, 728/4, 887/18.

³⁸ *Neos Hellenomnemon* 19 (1925), 159/24-28.

³⁹ Grumel, *Les registres*, no. 712.

delegates and Nicholas jointly anathematised the fourth marriage.⁴⁰ But the repercussions of the affair were widespread and lasting.⁴¹ The struggles and tergiversations of the various parties to the dispute—Court, Nicholaans, Euthymians, Rome, and Arethas on his own account—were of nearly unbelievable complexity, and, as has already been said, the full story of them cannot yet be written. The interpretation of the above texts may however add something to their elucidation.

The first, if correctly understood, is contemporary proof from Nicholas' own pen that his position was initially that ascribed to him by the *Vita Euthymii*, Arethas, and Niketas Paphlago.⁴² The second supplements our information on the violent proceedings of Nicholas in the first months of his restoration.⁴³ As has been suggested *supra*, Nicholas soon saw that his wholesale denunciations had made peace impossible, and that the last state was worse than the first. In a series of letters datable between 914 and 920, of which Mai-Migne nos. 113, 119, 123, 126, 128 are characteristic specimens, we see him trying painfully to cope with the storms which his radical policy had aroused. The third document throws further light on this same period of strife. The Empress Zoe and her advisers had established themselves in the palace while the Emperor Alexander was on his deathbed.⁴⁴ The breath was no sooner out of his body than they began, arbitrarily and unconstitutionally, to reverse his policies, and to give back their sees to the Euthymian bishops, who had been eagerly prophesying and awaiting the Emperor's demise.⁴⁵ Against this conduct Nicholas, who was by Alexander's nomination *de jure* regent for Constantine VII, protests in the letter under review. Shortly afterwards he managed to evict the Empress altogether, and was, for the next seven or eight months, regent *de facto* as well as *de jure*. The Byzantine Church seldom knew a period of such utter confusion as prevailed during the next seven years, until, at length, peace was restored by the statesmanship of Romanus Lecapenus and under the threat of destruction by Symeon of Bulgaria.

⁴⁰ Migne, PG, CXI, cols. 179–180 A. Baronius (deliberately, we must suppose) suppressed the passage, whereupon Migne (*ibid.*, D) suggested that it was a Greek forgery.

⁴¹ Cf. Grégoire-Orgels, *Byzantion*, 24 (1954), 166–169.

⁴² See *Eight Letters*, 340–345.

⁴³ Cf. the scholion of 914 attributed to Arethas: A. Harnack, *Texte u. Untersuchungen zur Gesch. d. altchr. Literatur*, I (Leipzig, 1883), 48–49.

⁴⁴ *Vita Euthymii*, 70/3 (Karlin-Hayter, 136/10).

⁴⁵ *Ibid.*, 62/25–28; (Karlin-Hayter, 122/9–13).